



PATENT
Attorney Docket No.: 16869K-111100US
Client Ref. No.: 712 SM/at

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HIROKAZU IKEDA et al.

Application No.: 10/805,023

Filed: March 18, 2004

For: INFORMATION PROCESSING
DEVICE, INFORMATION
PROCESSING DEVICE
CONTROL METHOD, AND
COMPUTER-READABLE
MEDIUM

Customer No.: 20350

Examiner: Unassigned

Technology Center/Art Unit: 3629

Confirmation No.: 9205

**PETITION TO MAKE SPECIAL FOR
NEW APPLICATION UNDER M.P.E.P.
§ 708.02, VIII & 37 C.F.R. § 1.102(d)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a petition to make special the above-identified application under MPEP § 708.02, VIII & 37 C.F.R. § 1.102(d). The application has not received any examination by an Examiner.

(a) The Commissioner is authorized to charge the petition fee of \$130 under 37 C.F.R. § 1.17(i) and any other fees associated with this paper to Deposit Account 20-1430.

02/11/2005 EABUBAK1 00000014 201430 10805023

01 FC:1464 130.00 DA

(b) All the claims are believed to be directed to a single invention. If the Office determines that all the claims presented are not obviously directed to a single invention, then Applicants will make an election without traverse as a prerequisite to the grant of special status.

(c) Pre-examination searches were made of U.S. issued patents, including a classification search and a foreign patent database search. The searches were performed on or around December 21, 2004, and were conducted by a professional search firm, Mattingly, Stanger & Malur, P.C. The classification search covered Class 707 (subclasses 1, 5, 100, and 101). Because of the large size of these subclasses, keywords were used to narrow of number of documents returned. The foreign patent database search was conducted using Espacenet and Japanese patent database. The inventors further provided one reference considered most closely related to the subject matter of the present application (see reference #7), which was cited in the Information Disclosure Statement filed on March 18, 2004.

(d) The following references, copies of which are attached herewith, are deemed most closely related to the subject matter encompassed by the claims:

- (1) U.S. Patent No. 5,909,688;
- (2) U.S. Patent No. 5,991,877;
- (3) U.S. Patent No. 6,766,326 B1;
- (4) U.S. Patent Publication No. 2002/0095400 A1;
- (5) U.S. Patent Publication No. 2003/0115179 A1;
- (6) U.S. Patent Publication No. 2004/0098394 A1; and
- (7) Japanese Patent Publication No. JP 2000-244495.

(e) Set forth below is a detailed discussion of references which points out with particularity how the claimed subject matter is distinguishable over the references.

A. Claimed Embodiments of the Present Invention

The claimed embodiments relate to a technique for controlling an information processing device by setting policies in which processes to be performed in the information processing system are defined. The term "policy" represents information that defines a job (a process to be performed within the information processing system). The control strategy of the information processing system represents conditions that are imposed on the policy set. See present application, at page 2, lines 26-30.

Independent claim 1 recites a computer-readable medium containing a computer software program for causing a computer to perform a process. The computer software program comprises code for allowing an information processing device included in an information processing system to receive a parameter entered for setting policies in which processes to be performed in said information processing system are defined; and code for changing said parameter for said policies so that a policy set, which is an aggregate of policies set by said parameter, better matches the a control strategy of said information processing system.

Independent claim 8 recites an information processing device included in an information processing system, comprising an input receiver configured to receive a parameter entered for setting policies in which processes to be performed in said information processing system are defined; and a parameter changer configured to change said parameter for said policies so that a policy set, which is an aggregate of said policies set by said parameter, better matches a control strategy of said information processing system.

Independent claim 15 recites a method for controlling an information processing device included in an information processing system. The method comprises causing said information processing device to receive a parameter entered for setting policies in which processes to be performed in said information processing system are defined; and causing said information processing device to change said parameter for said policies so that a policy set, which is an aggregate of said policies set by said parameter, better matches a control strategy of said information processing system.

One of the benefits that may be derived is that the policy set can better match the control strategy of the information processing system, so that the system administrator need not consider all the policies defined for the system and find discrepancies and inconsistencies to avert them.

B. Discussion of the References

1. U.S. Patent No. 5,909,688

This reference shows an information management system. The system includes a structure management means and entity management means for storing an entity management table. A process schedule control system performs a process schedule control by using the information management system. The system includes a policy definition means for performing a policy definition, including a definition of the structure management table required for the process schedule control. The system also includes a project definition means for performing a project definition, including a definition of the entity management table corresponding to one or more structure management tables defined by the policy definition means. Also included is a work flow management means for controlling processes using the structure management table and the entity management table defined by the policy definition means and the project definition means, and the identifier management means. See, e.g., Abstract; Figures 1-37; column 3, lines 1-20, column 6, lines 59-67, column 12, line 25 to column 13, line 21.

The reference, however, does not teach changing the parameter for the policies so that a policy set will better match the control strategy of the information processing system.

2. U.S. Patent No. 5,991,877

This reference shows a data processing system that includes an access control system for controlling access to portions of a resource and which is capable of running an application. The access control system includes a trusted framework, including a credential class and a label class of objects, and a policy manager, including a policy manager class of objects for creating label objects for portions of the resource and credential objects corresponding to users of the data processing system and instantiating the

label objects and credential objects in a respective label class or credential class. Also included is an arrangement for comparing a credential object created by the policy manager with a label object created by the policy manager for operation of the access control system. See, e.g., Abstract; Figures 1-10; column 4, lines 42 to column 5, line 5, column 6, lines 19 to column 7, line 67; column 12, line 45 to column 13, line 20.

The reference, however, does not teach the changing of the parameter for the policies so that a policy set better matches the control strategy of the information processing system. It further fails to teach the use of a dedicated backup device for saving a duplicate of data stored in a storage device of an information processing system.

3. U.S. Patent No. 6,766,326 B1

This reference shows a data management system that includes the creation of an elements table for storing a catalog of metadata of simple and complex element types. The elements table stores attributes that specify properties of the elements and whose values enrich the information about the elements and control or enrich the behavior of the elements. The attributes include attributes that support security and data integrity policies, and are attributes invoked during data manipulation activities to control or enrich the behavior of the applications using the table. See, e.g., Abstract; column 2, line 52 to column 4, line 23; column 4, line 55 to column 6, line 9.

The reference, however, does not teach the changing of the parameter for the policies so that a policy set better matches the control strategy of the information processing system. Also, it does not teach the use of a dedicated backup device for saving a duplicate of data stored in a storage device of the information processing system.

4. U.S. Patent Publication No. 2002/0095400 A1

This reference shows a method for the deterministic management of information, such as management of the delivery of content across a network that utilizes computing systems such as servers, switches and/or routers. The systems and methods may be employed with network content delivery systems to manage content delivery hardware in a manner to achieve efficient and predictable delivery of content. In another exemplary embodiment, deterministic delivery of data through a content delivery system may be implemented with end-to-end consideration of quality of service priority policies within and

across all components from storage disk to wide area network (WAN) interface. See, e.g., Abstract; Figures 1-9; and paragraphs [0008]-[0017], [0438], [0043], [0091]-[0093], and [0100]-[0108].

The reference does not teach the use of a dedicated backup device for saving a duplicate of data stored in a storage device of the information processing system. Nor does it disclose changing the parameter for the policies so that a policy set better matches the control strategy of the information processing system.

5. U.S. Patent Publication No. 2003/0115179 A1

This reference shows a method of analyzing group policies in an information management system. The method includes monitoring information obtained for a policy repository console, logging the monitored information into a policy editor, and analyzing the monitored information via a repository administration. The policy repository process may include maintaining a set of user functionalities, with the set including generic policy object operations. The generic policy object operations may include generating a policy object, importing the policy object, editing the policy object, generating directory service links, and modifying directory service links. See, e.g., Abstract; Figures 1-4; and paragraphs [0008]-[0019], [0024]-[0031], and [0052].

The reference, however, does not teach changing the parameter for the policies so that a policy set better matches the control strategy of the information processing system. Also, it does not teach the use of a dedicated backup device for saving a duplicate of data stored in a storage device of the information processing system.

6. U.S. Patent Publication No. 2004/0098394 A1

This reference shows a localized intelligent data management for a storage system. Apparatus and methods are provided for initiating data management activity for one or more storage devices based on events, such as file system events or device events, detected or occurring at an associated storage controller. An intelligent data management utility resides in the storage controller. The data management utility monitors and redirects file system activity targeted to or originating from one or more storage devices and initiates appropriate data management activity based upon the file system activity and user-administered policy-based management. A policy store is included in the system to provide a

repository for the defined policies. Policies may be read from and written to the policy store. The policy store is organized in such a way that a unique value, or index, can be used to locate any single policy within the store. The data management activity includes one or more of the following: hierarchical storage management; storage aggregation or virtualization; file replication; backup; virus scanning; or encryption. See, e.g., Abstract; Figures 1-8; and paragraphs [0004]-[0006], [0017], [0024]-[0033], and [0055]-[0059].

The reference, however, does not teach changing the parameter for the policies so that a policy set will better match the control strategy of the information processing system.

7. Japanese Patent Publication No. JP 2000-244495

This reference discloses a technique to easily execute necessary setting by setting an operation policy stored in a database to be the description of a job content executed in a unit constituting a network and converting the description of the job content into control information on the unit constituting the network based on an appropriate processing. An operation policy stored in a database is the description of a job content executed in a unit constituting a network and the description of the job content is converted into control information on the unit constituting the network based on an appropriate processing. A company network which is formed of two offices and accounting section/industry section managing the two offices and which uses TCP/IP technology is assumed for the network 5 of a management object. Center policy DB1 stores the operation policy of the network 5 and is constructed on a general computer. A management controller 3 supports the transmission of data between center policy DB1 and the unit constituting the network 5 in the middle of them.

The reference defines the management operations as a policy to facilitate the management of the information processing system for the purpose of reducing the management load on the information processing system. It can reduce the system management operation load by setting policies for individual management targets within the system. It cannot, however, detect incorrect policy settings or discrepancies and inconsistencies with the other policies. When such a technology is used, the system administrator has to consider all the policies defined for the system and find discrepancies and inconsistencies to avert them. These operations place a considerable burden on the

system administrator for a large-scale information processing system. See present application, at page 1, line 22 to page 2, line 8.

The reference does not disclose changing the parameter for the policies so that a policy set, which is an aggregate of policies set by the parameter, better matches the control strategy of the information processing system, as recited in independent claims 1, 8, and 15.

(f) In view of this petition, the Examiner is respectfully requested to issue a first Office Action at an early date.

Respectfully submitted,



Chun-Pok Leung
Reg. No. 41,405

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
Attachments
RL:rl
60400028 v1